PART 121-1: INTRODUCTION

Land use trends lie at the root of many of the major issues of contemporary public, political, and media concern. From sustaining natural resources and environmental quality, to school quality and finance, to providing housing affordable to all our citizens, to creating economically successful communities – how effectively and efficiently we use the land resource is a key consideration.

But it is difficult to engage the public broadly on land use and make it a popular subject for discussion. It is a topic so fundamental and pervasive, and yet also exquisitely detailed and arcane. Most change comes quietly and incrementally. Creeping changes to the landscape happen parcel-by-parcel, often slowly, and in areas along commercial highways, in neglected urban neighborhoods, or on remote suburban sites. Such areas are typically without citizen watchdogs or neighborhood groups to advocate for better land use decisions.

Land use has been described as "the neglected part of environmental efforts, because it evokes deep emotional responses and because it is so complex governmentally." ((*Land Use in America*:xvii)) People may have very strong negative feelings about the cumulative effect of *sprawl* – haphazard and scattered land development – and neighborhoods may quickly organize opposition to particular development proposals, but rare are those who truly know their way around the larger land use planning and regulatory system.

1-1 The Purpose and Role of this Plan

Land Use 2025 is the third state land use plan since 1975 – but the first since 1989, and the first in the wake of the enactment of three major land use enabling acts as state law.

The plan is intended to influence present and future decision-making. Its aim is to improve the efficiency and effectiveness of using our land resource to support objectives shared statewide and locally of a vibrant economy, a high quality of life, and a sustainable environment. By providing information on the nature of land use trends and issues, and by establishing goals, policies and strategies for dealing with them, the plan will stimulate a greater awareness among developers, planners and regulators who will determine the fate of that resource.

Land Use 2025 replaces its predecessor, *Land Use 2010*. As an element of the State Guide Plan, *Land Use 2025* will guide both statewide and local public and private sector actions. Its policies will be applied directly in planning and reviewing publicly funded projects and activities affecting land use, and indirectly through the planning and land use regulations implementing local comprehensive plans.

To date, there has been a considerable investment of effort in the Rhode Island state-municipal planning system for ensuring policy consistency. This is explained in the "Framework" discussion that follows. However, *Land Use 2025* pushes further, defining three statewide, interconnected systems of greenspace, community design, and infrastructure. It visualizes Rhode Island as a place-based network composed of communities, neighborhoods, special places, and centers.

Most importantly, this plan challenges state agencies and municipalities to incorporate shared visions and goals into their respective plans, and to make them happen with the tools at their disposal – zoning maps and ordinances, other land use regulations, and capital investment projects and programs. Our success depends on collaboration and a willingness to understand and appreciate the role that individual programs, projects and decisions play in the "big picture," Rhode Island's future land use pattern.

The Framework for Land Use Planning in Rhode Island

Reference was just made to Rhode Island's state-municipal planning system. Unlike many other states, Rhode Island has in place a legislated framework for planning that connects the state's goals and policies with the plans, goals and policies of municipalities and with the implementing actions of state and local agencies. The key elements of this system are:

- *The State Guide Plan* – developed and maintained by the Statewide Planning Program, and subject to approval by the State Planning Council, and

- *Community Comprehensive Plans* – developed by municipalities and reviewed by the state for consistency with the State Guide Plan and state agency goals.

The 1990s were devoted to building this planning framework and process and saw the development and approval of community comprehensive plans in all 39 municipalities, followed by new zoning ordinances and new regulations for subdivisions and land development.

The state-municipal planning system is a potentially powerful mechanism for coordinating statewide and regional land use planning and supporting major public land use initiatives. It requires consistency of all local plans and projects with State Guide Plan goals, objectives and policies. Conversely, projects undertaken or funded by state agencies must be consistent with local comprehensive plans once such plans are officially certified by the state.

Among the current land use initiatives being advanced within the State Guide Plan-local comprehensive plan system are affordable housing, growth centers, water supply development and protection, and highway corridor planning.

The State Guide Plan

The Statewide Planning Program is directed by Chapter 42-10-11 of the Rhode Island General Laws to prepare and maintain a State Guide Plan that centralizes and integrates long-range goals, policies and plans with short-range project plans and implementing programs pursued within and outside the agency.

The State Guide Plan is not a single document but a collection of elements (currently 28) that have been adopted by the State Planning Council. It promotes planning coordination in several ways, being used as both a resource and review mechanism for projects and implementation measures such as:

- Proposals requesting federal funds
- Applications for U.S. Army Corps of Engineers permits
- Environmental Impact Statements
- R.I. Economic Development Corporation projects
- Projects being reviewed by the Energy Facility Siting Board
- Applications for various loans, grants, or other state financing
- Rules and regulations promulgated by state agencies, and
- Property leases and conveyances proposed before the State Properties Committee

Besides these, one of the most important roles the State Guide Plan plays is in the review of local comprehensive plans. This determines whether the state will certify a local plan so that state projects are bound to be consistent with it in the same way that local projects are consistent with the State Guide Plan.

Comprehensive Community Plans

Since the 1960s Rhode Island municipalities have prepared and adopted community plans, many with the help of the state's former Local Planning Assistance Program. Municipal plans have been required by law for at least 35 years ((Chapter 45-22-7, RIGL, 1972)), their primary objectives to underpin zoning regulations and guide capital improvements.

In 1988, the *Rhode Island Comprehensive Planning and Land Use Regulation Act* strengthened requirements for municipal plans and created stronger connections between state and local plans. All Rhode Island cities and towns must now have a locally approved Comprehensive Community Plan that must be updated at least once every five years. Municipal plans are required to be reviewed by the state for consistency with state goals and policies; in turn, state agency projects and activities are to conform to local plans that have received state approval *(certification).* Approved local plans also set the basis for the exercise of key local implementing powers for land use – zoning and development review ordinances.

Over the past decade, local comprehensive plans have been formally incorporated into much of Rhode Island's planning, in both policy and practice. Having a certified comprehensive plan is as important a criterion as project consistency with the State Guide Plan in a number of state-administered grant programs.

Related Planning Efforts

In addition to activities following the State Guide Plan and local comprehensive plans, other state agencies, quasi-state agencies and non-governmental organizations are involved in planning that impacts land use statewide, regionally and at the municipal level.

Virtually all of the state's line agencies do program and project planning in pursuit of their missions, but broader-based planning and implementation efforts have also been initiated. Notably for land use, these include the Rhode Island Rivers Council and its rivers classification and watershed designation process, the Department of Environmental Management's Sustainable Watersheds initiatives, and water allocation planning by the Water Resources Board. All of these activities engage local watershed organizations and interests.

Recently, the management and protection of Narragansett Bay has been the subject of strategic planning by special panels appointed by the Governor and the legislature.

A master plan is being developed for Aquidneck Island involving the communities of Newport, Middletown and Portsmouth. Focusing on the island's west side, this effort is being led by the Aquidneck Island Planning Commission. Regional issues are also being discussed across the bay, where the Washington County Regional Planning Council is championing growth management measures in rural/suburban Washington ("South") County.

While these efforts are important to broaden public involvement in the planning process and develop "ownership" of local and regional plans, the coordination of such disseminated and diversified activities remains paramount. Maintaining the State Guide Plan-local comprehensive plan system is essential in this regard. As an element of the Guide Plan, *Land Use 2025* can do that for land use.

Because they are all connected and internally consistent, other elements of the State Guide Plan provide an important policy foundation for this plan. Key elements reflected in *Land Use 2025* include *Transportation 2025, Rhode Island's Long-Range Transportation Plan, Ocean State Outdoors: Rhode Island's Comprehensive Outdoor Recreation Plan,* and elements for economic development, housing, water supply, and greenspace and greenways.

1-2 The Context for this Land Use Plan

A Brief History of Rhode Island Land Use and Development

The distinctive traditional neighborhoods, historic districts, and landmarks of Rhode Island are a legacy of the state's long heyday as a center of commerce and industry – a tide that crested a century ago. Starting with seaport trading, then becoming a cradle and a booming center for manufacturing and a summer home for America's richest families, nineteenth century Rhode Island was a wealthy state, and the cities, towns and mill villages built in this period had the most up-to-date architecture and infrastructure.

Rhode Island's famous historic districts are not a result of the planning and zoning process as we know it today. Until a half-century ago, land use was planned *ad hoc,* but generally with careful deliberation by community leaders who were usually personally involved in the physical development of their city or town. It was considered a civic duty and also made both personal and business sense to participate. Strong, attractive cities and towns were understood to be essential for economic vitality. As in the rest of the country, Rhode Island's economic, social and cultural centers were promoted with civic pride – and the state had its fair share of boosters.

Through the 1960s Providence was still the center for much of Rhode Island's economic and social activities. The traditional village and town centers remained vital as well, even for shopping. Coastal areas were deserted, except for three months in the summer, and jobs remained located in the urban centers. Country areas had few residents other than farmers and residents of mill villages that were often clustered along rivers and around abandoned mills.

Thereafter, through the 1970s, '80s and '90s, Rhode Island's traditional pattern of land use came undone. Interstate 95 sliced diagonally through the center of Rhode Island's landscapes and urban core, making us a link in the East Coast megalopolis and providing quick and easy access to the rural towns along its route. Bridges finally connected the entire expanse of Narragansett Bay, and one could drive either the length or breadth of the state in an hour's time.

Not seeming remote anymore, coastal areas saw summer homes winterized. Suburbanization made them gradually become year-round communities. Shopping and jobs centers spread outward from traditional centers. Women went to work, and another generation sought even more space and bigger new houses.

Location, Location, Location

Geographic advantages have historically determined the location of settlements. The leaders of a settlement usually organized the spaces within it for all the uses that were needed by the community. In much of Rhode Island, towns and villages were

mapped out in colonial times by the major politicians, merchants, sea captains, mill owners, and farmers, and the piers, mill sites, public buildings, ceremonial spaces, dams, major streets and smaller roadways form the “bones” of our community structure to this day. It should be noted that many city planning efforts have been redevelopment projects, undertaken by visionary leaders during prosperous times.

Except for the farmers, most Rhode Islanders for centuries found it important to be near the centers. After World War II, however, an exodus to the suburbs began. Between 1940 and 1990, the population of Providence fell from 253,504 to 160,728, one of the steepest declines in that period among American cities. During a time that Rhode Island’s population increased by nearly 41 percent, its capital city decreased by almost 37 percent. ((Reference?))

Equipped with personal automobiles, urban dwellers began moving out of the concentrated, multi-family city neighborhoods to single-family houses with more space. Businesses followed.

The early suburban areas just extended out from the edges of the cities. The first stops were the fairly densely built – though low-rise – inner suburbs of Cranston, Warwick, North and East Providence, and parts of Pawtucket, Lincoln, and Cumberland. Former city dwellers built modest houses on small lots on streets with city infrastructure (public water, sewer, gas), in neighborhoods with community services and amenities such as sidewalks, neighborhood schools and recreation areas, hospitals, and libraries. Households usually had one breadwinner and one vehicle and lived fairly close to where the head of household worked.

Many planners find it disturbing that new development of the past three decades does not necessarily follow rational patterns, such as extending out from a core as the latest of a concentric ring pattern. Moreover, small town governments have often had little capacity or experience in planning and guiding major building projects. At times the local community leadership has seemed to abdicate an active role in orchestrating land use and building public developments. Private developers design, install, and pay for most new infrastructure, particularly new roads but often water and sewer lines where they are extended for new developments.

All privately-owned land must be zoned for certain permitted uses and at a certain building size and density (building size per acre). Exeter was the last to adopt zoning in the late 1970s. Outside of the cities and inner suburbs the lack of public sewer and water systems, and ambient soil characteristics, led to a basic minimum lot size requirement of two acres. This covers much of Rhode Island. Except for Providence’s center, few communities are apparently comfortable with a building height of more than two or three stories, and most of the state is zoned today for low-rise structures.

Thus, with increasing mobility, a regional economy, strong market incentives, more money, and a continuing desire for living in more natural areas and in privacy,

Rhode Islanders have spread their buildings across the landscape. Much of Rhode Island development for the past 30 years has followed land availability – hence the fragmented, scattershot developments that characterize much of the landscape. Certain areas are more desirable and convenient, but in a strong market almost anything is saleable. Development in much of Rhode Island today is proceeding at the pace at which land becomes available.

The Cities Rediscovered?

Since the late 1990s, buoyed by recent immigration, young professionals and a "back to the cities" movement, the tide may be changing for Rhode Island's urban centers. Efforts to revitalize downtown commercial buildings and former mill complexes have finally become success stories and in some places are stimulating ripple effects into surrounding neighborhoods. Fortunately, Rhode Island's renowned historic preservation movement, a national model for more than 50 years, recognized and fought to protect whole districts of nationally significant architecture. These historic structures are the landmarks and anchors of our once and future urban centers, now primed with attractive investment options such as the state's historic tax credit. These incentives stimulate the rehabilitation and adaptive reuse of abandoned and otherwise derelict buildings that once held distinction as factories, theaters, and other structures within the urban landscape.

However, despite some reversal of the population flight and disinvestment problems that cities experienced, the underutilization of Rhode Island's urban land remains a problem. Our cities still house disproportionately large populations of economically disadvantaged people who require specialized services. At the same time, the economic base providing job opportunities and the underpinning for municipal finances continues to be dispersed to suburban and rural areas.

The majority of growth in the state continues to take place in suburban and rural areas in the low-density, randomized pattern defined as sprawl. The impacts of sprawl, while widespread, are particularly harsh on the state's central cities, leaving them with a somewhat ambiguous future. ((Reference?))

Rhode Island's Place in the Southern New England Region

As the young and the well-to-do turn their attention to the cities, other parts of Rhode Island have been "discovered." Our state has been the topic of media attention (*The New York Times* "Living" Section, for example), and the land use pressure is mounting for new residential and large-scale commercial development. Our future is increasingly tied to neighboring Massachusetts and Connecticut, and even New York.

While Rhode Island is still a relatively middle-class and affordable place to live, an "affordability gap" has opened between prevailing rents and mortgages and wages. Planners are openly speculating whether people entering the workforce in the future will be able to afford a place to live. How will this affect future economic development?

Rhode Island needs land use strategies appropriate for the dynamic, market-driven Northeast metropolitan region, as well as the challenges of haphazard development, large-scale construction, and automobile-dependent, decentralized lifestyles that accommodate long-range commuting.

In 2001, the Rhode Island Economic Policy Council described Rhode Island's changing economic situation and position in the region:

> As recently as the 1940s, Boston, Providence, and the many small villages around, were all distinct places, connected by slow travel on sinuous local roads. In the past fifty years, interstate highways and commuter rail have integrated the region so that Providence blends into the Boston Metro. A regional job market, shared by Rhode Island, southern New Hampshire, and eastern Massachusetts, has emerged.
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> The Boston metro has two major institutional and transportation hubs – Boston and Providence – and two major transportation corridors, one along the Massachusetts Turnpike and one along Interstate 95. Providence is the hub of the southern sub-market of this region, which – with three million people – is the largest and fastest growing sub-market in the Metro. ((RIEPC, *Soul*:5))

The Regional Context Map below, Figure 121-01(1) (by Michael Gallis & Associates; used with permission), illustrates the current network of economic hubs, clusters, and connections that make up the Boston Metro region.

Workforce travel studies reinforce the conclusion that there are new economic alignments. The 2000 Census found that 67,000 Rhode Islanders – a considerable number in a state with a total work force of 500,000 – commute to work out-of-state in neighboring Massachusetts and Connecticut. ((Reference?))

Prior State Land Use Planning Efforts

Land Use 2025 is the third State Guide Plan element for land use adopted by the State Planning Council or its antecedent, the Rhode Island Development Council.

Preliminary State Level Planning Efforts: 1955 and 1969

Organized state level planning efforts date back to at least 1955, when the Rhode Island Development Council, under the direction of Governor Dennis Roberts, prepared a special report, *Background for a Guide Plan for the Future Development of Rhode Island.* In 35 pages, *Background* provided "an introduction to those natural and cultural resources which have been and will continue to be most significant in the development of our state," and called for a management regime that was eventually embraced and led to the current State Guide Plan system of 28 themed elements. ((RI Dev. Council, 1955))

Figure 121-01(1):
REGIONAL CONTEXT MAP: PROVIDENCE AND THE BOSTON METRO

In September 1969, Rhode Island's State Planning Council adopted a *Preliminary Land Use Plan.* It contained four parts: 1) discussion of land use goals, 2) explanation of the land use plan methodology, categories, and relation to other plans, 3) a statement of land use policies, and 4) proposals for implementing the policies and plan.

Adopted Elements – the State Land Use Policies and Plan, 1975 and 1989

The two previous Guide Plan elements on land use expanded the scope of the 1969 report considerably, establishing state goals and policies that would be implemented over 20-year horizons. Each of these plans compiled significant inventories on existing conditions, analyzed patterns of development and land capability, and included a State Land Use Plan map showing present and future areas of concentrated development.

The 1975 *State Land Use Policies and Plan* analyzed five alternative land use patterns and proposed a scenario that promoted compact, directed development. A major recommendation of this plan was the creation of a state land management system, an effort pursued (to no avail) through legislation in the years that followed. The proposed system would have required municipalities to designate three categories of land – urban, rural, and transitional – based on existing and planned development and support services. The state would have an oversight role, and the surrounding communities the opportunity for input, in local land use decisions affecting critical areas or having regional (multi-community) impacts. The repeated failure to muster legislative support for this system clearly conveyed one message: *all land use decision-making was to be made at the local level.*

The 1989 update, *Land Use 2010: State Land Use Policies and Plan*, used a land capability analysis approach and promoted the themes of sustainability, capability and livability. This plan contained the results of an analysis of land capability and infrastructure based on a computerized environmental inventory. Similar to the 1975 plan, *Land Use 2010* sought to focus future growth within and adjoining existing urban centers that had capability and requisite services to support it. This plan's implementation strategy focused on giving municipal governments the necessary modern planning and regulatory tools they needed to direct growth and development.

Legislative efforts to implement *Land Use 2010* concentrated on updates to the state's enabling statutes for municipal planning, zoning and subdivision, and land development review – all of which were, as described in other sections of this plan, substantially rewritten. Finally the legislation was passed that equipped municipalities with the statutory authority necessary to be firmly in charge of the planning, zoning, and design of their future land use within a framework set by the broad policies of the State Guide Plan.

Local Comprehensive Plans and Composite Future Land Use

This legislation accepted the message conveyed to state planners in the 1970s. *All land use activity is local.* With the exception of federal and state-owned property, and environmental regulations such as those promulgated by the R.I. Coastal Resources Management Council, all land use controls are effected at the municipal level. This is not to understate the potential regional impacts of major local development or building trends. However, an understanding and appreciation of the municipal requirements for planning and the process for implementing those plans is essential. And, Rhode Island's 39 municipal land use programs are the key components for implementation of the state's land use goals and policies.

The *Rhode Island Comprehensive Planning and Land Use Regulation Act* specified the requirements for municipal comprehensive plans, calling each "a statement (in text, maps, illustrations, or other media of communication) that is designed to provide a basis for rational decision-making regarding the long term physical development of the municipality." ((RIGL, Ch. 45, Sec. 22.2-6)) There were to be eight required elements:

- Goals and policies
- Land use
- Housing
- Economic development
- Natural and cultural resources
- Services and facilities
- Open space and recreation
- Circulation

According to the legislation, the land use element is supposed to designate "the proposed general distribution and general location and interrelationship of land use for residential, commercial, industry, open space, recreation facilities, and other categories of public and private uses of land." But it also must go further:

> The land use element is based upon the other elements... and it shall relate the proposed standards of population density and building intensity to the capacity of the land and availability of planned facilities and services. A land use plan map, illustrating the future strategy and land use policy of the municipality, as defined by the comprehensive plan, is required. The land use plan must contain an analysis of the inconsistency of existing zoning districts, if any, with the land use plan. The land use plan should specify the process by which the zoning ordinance and zoning map shall be amended to conform to the comprehensive plan. ((RIGL, 45:22.2-6))

These were the basic directions given to each city and town as to the minimum requirements regarding land use in their Comprehensive Community Plans. In the past

15 years this relatively brief description (it is found within a 25-page state law) has been subject to considerable interpretation and debate.

The Composite Future Land Use Map

The legislation gave municipalities total discretion in their definition and categorization of land use. State standards for preparing comprehensive plans, issued by the State Planning Council, reflected the local prerogative approach, likewise not specifying land use categories for mapping.

Without directions for standardizing categories for land uses, each municipality seems to have developed a unique land planning and zoning system and terminology, and this is clearly evident in their individual approaches to land use mapping. The state law did specifically *require* consistency with both state agency plans and plans of adjacent municipalities, but a system with 39 distinct local plan and map categories makes comparison and analysis to determine consistency very difficult.

In an effort to bring some conformity to the process, Statewide Planning and the R.I. Geographic Information System (RIGIS) created a *Composite Future Land Use Map* from the 39 municipal maps by interpolating the numerous municipal land use categories. This map, shown as Figure 121-01(2), forms the basis for one of the Future Land Use Scenarios examined in Part Six.

1-3 The Urgency for Action on Land Use Concerns

Re-assessing our land use situation is timely as pressure for certain uses grows steadily. It is true that Rhode Island has not had the scale of decentralization and sprawl experienced by other, faster-growing areas of the nation, such as Florida. However, we have seen suburban areas tend toward build-out, and traditionally rural communities get increasingly suburbanized. And, while much of Rhode Island still has an urban settlement pattern around historic centers, deteriorating urban neighborhoods – particularly working-class housing – and aging infrastructure are significant problems and are among the state's biggest land use challenges. Successfully redeveloping these already-built areas as attractive communities of the future is key to managing our suburban and rural growth.

Visions for future land use must grow from an understanding of existing conditions, of relationships between natural resources and the built environment, and of opportunities and constraints. Implementation of our plans must be guided by those visions but also based on realities and practical, achievable strategies.

Figure 121-01(2):
COMPOSITE FUTURE LAND USE IN RHODE ISLAND

Among the realities are these:

- Rhode Island occupies approximately 690,000 acres, about 29 percent of which is presently developed.

- The state's land mass is divided into approximately 366,000 privately-owned parcels and perhaps 100,000 to 200,000 acres that are publicly owned, by federal, state, or municipal governments.

- Many areas of Rhode Island, particularly city and town centers, have been actively used for generations and the pattern of land use is complicated.

- Many areas of the state were developed prior to current zoning and current local plans.

Existing Land Use Plans, Controls and Professional Planning Capacity

Plans currently exist for the entire area of the state – all 690,000 acres. Zoning and other land use regulations are in place to control development of every parcel in the state. Clear details of Rhode Island's overall land use plans, that is, the minimum requirements for future building on all the 366,000 individual land parcels in the state, are contained in the multiple public plans, development regulations and codes of local agencies.

These official plans and regulations mandate the shape and scale of building envelopes, site design work, and public improvement standards for all physical development within the state. Land use regulations – in all their permutations – create Rhode Island's greenspace, community design and infrastructure at the state, municipal, and neighborhood levels. Land use regulations go far beyond the listing of uses to which land can be put within certain zones.

Thus there exist detailed instructions for building and conserving that cover the entire state. Piecing the regulatory requirements together from all the plans and regulations would create a blueprint for the state's future land use. Unfortunately, to date only the general outlines of this blueprint are discernible from a statewide or regional perspective. As mentioned above, the 39 major pieces of the blueprint are held by the individual cities and towns. Only a few of those pieces contain the three-dimensional character and design details that a good blueprint or model provides.

It may be that Rhode Island has more statewide information, including GIS mapping and aerial photography coverage, than any other state in the union. The state's small size is a great advantage in creating comprehensive information bases. Our assets also include a large, though fragmented network of professionals and volunteers working toward good land use. And, popular support for good community

design, environmental protection, and maintenance of quality of life is widespread and becoming more evident.

On the other hand, the professional planning capacity in government is frequently very strained, with limits on personnel and budget. Many departments operate without the benefit of modern technical aids, such as computerized mapping systems, that are essential to land use planning and regulation. These shortcomings need to be addressed.

On a statewide and regional basis, our land use data need to be compiled, shared and made accessible in a user-friendly form, ready for practical applications at the personal computer level. If we are to plan and develop together on a regional basis, our community blueprints need to be spliced together into contextual maps that consider the big picture.

1-4 *Land Use 2025:* Continuing Themes, New Approaches

Land Use 2025 reaffirms all the major goals and themes of the plans of the past half-century and advocates for the most practical applications. This plan has attempted to use the best available land use information and technology. Our objective is to work within the now-integrated state-municipal planning system for more effective implementation of mutual visions and goals.

We seek from this effort a practical, 20-year work plan for statewide land use, conservation and development; achievable objectives, both short- and long-term; and a series of policies and strategies aimed at, and connected to, application on the ground.